

MAR 26 2007

REMARKS

The Office Action of 09/25/2006 has been carefully considered. In response thereto, the claims have been amended as set forth above. Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 5 and 6 were not specifically rejected and are presumed to be allowable.

Claims 1-3 and 7-9 were rejected as being unpatentable over Jacobs in view of Kinkel. Claim 4 was rejected as being unpatentable over the same base combination further in view of Narumi. These rejection are respectfully traversed.

Jacobs relates to a land mobile communication system. The receiver of Kinkel (Figure 4) is provided with an automatic gain control (AGC) arrangement including a comparator 210. Kinkel relates to a phase lock loop having a switchable filter for acquisition and tracking modes, the filter being illustrated in Figure 2 thereof.

Neither Jacobs nor Kinkel is concerned with deriving the level of an input signal from the level of the output signal of a processing chain including a set of amplifiers and a selective filter as claimed. In fact, neither Jacobs nor Kinkel so much as measures the level of the output signal in such a frequency channel to obtain an explicit measurement. An example of an application where such an explicit measurement is required is the DOCSIS system, as described in the present specification. In the DOCSIS system, this measurement is sent back to the system operator for diagnostic purposes.

Furthermore, the technical combination of Jacobs and Kinkel makes no sense—the supposed motivation to combine is specious. Jacobs already includes AGC control for

obtaining the correct gain for the incoming signal and has no need of Kinkel for this purpose.

Even if there were motivation for the combination, which there is not, Applicant fails to appreciate how "implementing the filter of Jacobs with an amplifier to control the gain of the filtered signal through the receiver system" would come any closer to the features of the claimed invention since, as noted above, neither Jacobs nor Kinkel is concerned with deriving the level of an input signal from the level of the output signal of a processing chain including a set of amplifiers and a selective filter as claimed, and neither Jacobs nor Kinkel so much as measures the level of the output signal in such a frequency channel to obtain an explicit measurement.

Notice of Allowance is respectfully requested.

Respectfully submitted,



Michael J. Ure, Reg. 33,089

Dated: March 22, 2005